(69)

HIGH COURT OF CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI JAGDISH BHALLA, Ag. CJ

Writ Petition (C) No. 4481 of 2007

Petitioner : Mohd. Unus aged 41 years, s/o Shri Mohd. usuf r/o : Station – para, Ward-9, Gali-4, Rajnandgaon Distt-Rajnandgaon CG

VERSUS

Respondents

1. Chhattisgarh State Waqf Board Through : The Chief Executive Officer, Chhattisgarh State Waqf Board Sector – 3C/12, Devendra Nagar, Raipur CG.
2. Intazamia Committee Masjid Through : President/ Mutawalli Intazamia Committee Masjid Gole-Bazar : Rajnandgaon Distt – Rajnandgaon.
3. Waqf Tribunal Through : The Registrar, Waqf Tribunal : Raipur CG

Writ Petition under Article 227 of the Constitution of India

Present: Shri Anurag Dayal Shrivastava, counsel for the petitioner.
Shri B.L. Dembra, counsel for the respondent No.1.

ORAL ORDER
(Passed on 31st October, 2007)

Counsel for the petitioner submits that it is the duty of the Tribunal to record the finding while rejecting the interim relief application.

I am of the considered opinion that while rejecting the application for interim relief if the findings are recorded; it can prejudice the right of the parties. Since the matter is still pending before the Tribunal. Accordingly, it would be open for the petitioner to raise his grievance before the Tribunal.

In view of above, this Court is of the opinion that no interference in this petition is warranted and accordingly the writ petition stands disposed of.

Sd/-
Acting Chief Justice

Kamde